INTERVIEW SUMMARY

Supervisory Examiner Zeender, Examiner Haider, and Applicants' attorney, Joseph Helmsen, conducted an interview on June 15, 2009. The parties discussed claim 1 and, more specifically, the associate card value. The Examiners and Applicants' attorney agreed that the associate card value as described in claim 1 was not shown by the prior art for substantially the reasons presented in the Remarks below.

REMARKS

Applicants would like to thank the Examiner for the substantive review given to this case and for the courtesy of the interview of June 15, 2009. A summary of the interview is provided above.

In the Office Action, the Office rejected pending claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,028,072 (Kliger) in view of U.S. Patent No. 6,055,573 (Gardenswartz). Upon entry of this Response, claims 1-10 will remain pending. For the reasons set forth below, Applicants request that the above-listed rejections be withdrawn.

Claims 1-10

Independent claim 1 is nonobvious over Kliger in view of Gardenswartz because the cited references fail to teach or suggest each and every limitation of independent claim 1. *See* MPEP §2143 (stating that one of the elements of a prima facie case of obviousness under §103(a) is that the prior art references must teach or suggest all of the claim limitations). More particularly, the combination of Kliger and Gardenswartz fails to teach or suggest, among other things, the following limitations of claim 1:

- receiving, by an associate processing device, an associate card value from a user processing device, wherein the associate card value is included in a package of a product purchased from an offline merchant; and

- converting the associate card value to promotional information.

Kliger discloses a method for constructing customized advertisement banners for Web pages. *See* Kliger at Abstract. Kliger discloses that advertisements are dynamically developed based on technographic and/or geographic information associated with a user's computer and/or demographic and/or user interaction information associated with the user. *See id.* at 5:16-31. The advertisement is then displayed to the user based on these profile parameters. *See id.* at 5:63-67.

Gardenswartz is directed to a method of delivering targeted advertisements to a user based on the offline purchase history of the user. *See* Gardenswartz at Abstract. Gardenswartz discloses that a merchant stores purchase data for consumers that present customer identification (CID) during a checkout process. *See id.* at 5:63-64. The CID identifies a particular consumer. *See id.* at 5:44-45. Gardenswartz teaches that possible CIDs include credit card numbers, debit

card numbers, social security card numbers, shopper card identifications or shopper loyalty card numbers issued by a merchant. *See id.* at 5:53-60. Gardenswartz teaches monitoring the purchases by a particular consumer identified by a CID. *See id.* at 15:58-62. Each time a consumer whose identification can be determined makes a purchase, the items purchased along with the CID are stored in a purchase history database. *See id.* at 15:62-65. This information is then sent from the merchant to a registration server to prepare an advertisement or report for the consumer. *See id.* at 13:5-27; 15:66-16:49.

In contrast, claim 1 requires receiving an associate card value that is included in a package of a product purchased from an offline merchant, received by an associate processing device and received from a user processing device. Neither Kliger nor Gardenswartz disclose an associate card value that is included in a package of a product purchased from an offline merchant or that the associate card value is received from a user processing device.

In particular, Kliger does not teach or suggest an associate card value that is included in a package of a product purchased from an offline merchant. Kliger does not disclose an associate card value of any kind that relates to a product purchased from an offline merchant. Moreover, Kliger does not teach receiving an associate card value from a user processing device. Kliger merely receives profile parameters (technographic, geographic, demographic and user interaction information) from a profile database, which is maintained in a server hosting framework. *See* Kliger at Fig. 2a; 5:4-15; 6:18-26. As such, Kliger merely teaches receiving information pertaining to a user or a user's computer. None of the disclosed profile parameters are received from a user processing device. Moreover, none of the disclosed profile parameters are included in a product package. More particularly, the profile parameters are not included in a package of a product purchased from an offline merchant.

Similarly, Gardenswartz does not teach or suggest an associate card value that is included in a package of a product purchased from an offline merchant. Gardenswartz teaches receiving information based on purchases made by a consumer from the merchant. *See* Gardenswartz at 15:58-65. However, the received information merely includes the customer identification (CID) and the items purchased. *See id.* The received information does not include an associate card value that is included in a package of any product, as required by claim 1. Moreover, the

received information is received from a merchant database, and not from a user processing device, as further required by claim 1.

Furthermore, neither Kliger nor Gardenswartz teaches or suggests converting the associate card value to promotional information. Because neither Kliger nor Gardenswartz receive an associate card value as described above, neither Kliger nor Gardenswartz can disclose converting such an associate card value to promotional information. More specifically, neither Kliger nor Gardenswartz teaches or suggests converting an associate card value included in a package of a product purchased from an offline merchant to promotional information. Indeed, no value included in a product package is converted into promotional information by either Kliger or Gardenswartz. Moreover, neither Kliger nor Gardenswartz teaches or suggests converting an associate card value received from a user processing device.

Therefore, for at least the reasons set forth hereinabove, claim 1 is nonobvious over Kliger in view of Gardenswartz. *See* MPEP §2143. Because claims 2-10 depend from and incorporate all of the limitations of independent claim 1, claims 2-10 are nonobvious over Kliger and Gardenswartz. *See* MPEP §2143.03 (stating that if an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious). Accordingly, Applicants respectfully request that the rejections associated with claims 1-10 be withdrawn.
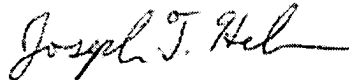
All of the stated grounds of rejection have been properly traversed, accommodated or rendered moot. Applicants therefore respectfully request that the USPTO reconsider and withdraw all presently outstanding rejections. There being no other rejections, Applicants respectfully request that the current application be allowed and passed to issue.

If the Examiner believes for any reason that personal communication will expedite prosecution of this application, I invite the Examiner to telephone me directly.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for this Response, or credit any overpayment, to deposit account no. 50-0436.

Respectfully submitted,
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